

FILED

JUL 18 2014

Clerk of Court

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America

1 Robinson Merche-Reyes YOB: 1985
Mexican Citizen

2 Ernesto Castaneda-Garcia YOB: 1981
Mexican Citizen

Case No. m-14-1374-m

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 17, 2014 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

8 USC 1324(a)(1)(A)(iii)

knowing or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such alien in any place, including any building or any means of transportation

This criminal complaint is based on these facts:

On July 15, 2014, surveillance was being conducted on a residence in Mission, Texas suspected of harboring undocumented aliens (UDAs). Surveillance observed a vehicle leave the residence and travel to another residence located in Palmview, Texas.

"Please see Attachment A"

✓ Continued on the attached sheet.

Approved by: Leo J. Leo II
AUSA

Complainant's signature

Robert Castillon, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 7/18/2014

Judge's signature

City and state: McAllen, Texas

Dorina Ramos, U.S. Magistrate Judge

Printed name and title

Attachment "A"

On July 17, 2014, Homeland Security Investigations (HSI) special agents, Customs and Border Protection (CBP) Office of the Border Patrol (OBP), and Palmview, Texas Police Department conducted a consent search on the residence in Palmview, Texas. As a result of the consent search, forty six (46) UDAs were apprehended. Interviews of the UDAs identified two (2) suspected caretakers of the stash house, Robinson MERCHE-Reyes and Ernesto CASTANEDA-Garcia. Four material witnesses were held in this case.

Robinson MERCHE-Reyes was advised of his Miranda rights and invoked his right to an attorney. All questions were seized at that moment.

Ernesto CASTANEDA-Garcia was also advised of his Miranda rights and agreed to speak to agents without an attorney present. CASTANEDA-Garcia was uncooperative and denied any involvement in the harboring of the UDAs.

Mayra Jimenez-Umana, a citizen and national of El Salvador, with no legal right to be present in the United States was held as a material witness in this case.

Jimenez-Umana identified CASTANEDA-Garcia, through a six person photo lineup, as a person who would come and go from the residence. Jimenez-Umana also identified MERCHE-Reyes, through a six person photo lineup, as a person who would sell snacks to the UDAs. Jimenez-Umana also stated that MERCHE-Reyes was usually at the stash house, but on occasion would leave to buy things in a blue pickup truck.

Omar Umana, a citizen and national of El Salvador, with no legal right to be present in the United States was also held as a material witness in this case. Umana identified CASTANEDA-Garcia, through a six person photo lineup, as a person who would order the UDAs into a vehicle when they were being transported from the stash house. Umana identified CASTANEDA-Garcia as "El Flaco." Umana also identified MERCHE-Reyes, through a six person photo lineup, as a person who would write the names of the UDAs in a ledger when they would arrive at the stash house. This is common practice for alien smugglers to keep track of the number of UDAs that come and go from a stash house.

Jota Comparam-Molina, a citizen and national of Mexico, with no legal right to be present in the United States was also held as a material witness in this case. Comparam-Molina identified CASTANEDA-Garcia, through a six person photo lineup, as a person who would arrive and transport UDAs to and from the stash

house. Comaparan-Molina also stated that CASTANEDA-Garcia would instruct the UDAs to stay in certain rooms within the stash house. Comaparan-Molina further stated that CASTANEDA-Garcia would give instructions to MERCHE-Reyes such as, which UDAs would be leaving the stash house to further their smuggling venture and which UDAs would be staying in the stash house. Comaparan-Molina identified MERCHE-Reyes, through a six person photo lineup, as a person who would write the names of the UDAs in a ledger as they arrived at the stash house. Comaparan-Molina also stated that MERCHE-Reyes would call out the names of UDAs that would be leaving the stash house to further their smuggling venture. According to Comaparan-Molina, MERCHE-Reyes would also scold the UDAs when they would leave the rooms they were assigned to. Comaparan-Molina lastly stated that he observed MERCHE-Reyes with a handgun in his waistband. Please note that two handguns were recovered in a closet inside the stash house.

Ismael Camargo-Lopez, a citizen and national of Mexico, with no legal right to be present in the United States was also held as a material witness in this case. Camargo-Lopez identified CASTANEDA-Garcia, through a six person photo lineup, as a person who would take food to the stash house. Camargo-Lopez also identified MERCHE-Reyes, through a six person photo lineup, as a person who would receive the UDAs as they arrived at the stash house and would write the names of the UDAs in a ledger. Camargo-Lopez further stated that MERCHE-Reyes would provide food to the UDAs that CASTANEDA-Garcia would take to the stash house. Camargo-Lopez also stated that MERCHE-Reyes would give instructions to the UDAs such as which room they were going to be staying in once they arrived at the stash house.